



September 08, 2014

Regular City Council Meeting - Monday, September 8, 2014

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1. Agenda

1.01 Approve/Amend the Agenda

Type: Action, Procedural

Recommended Action: Motion to Approve/Amend the AgendaAdd to the consent agenda item 5.23. Special Event Indoor Entertainment Permit Application (5 days only): Bern Gallery with the motion to "waive the reading and approve the special event indoor entertainment permit application for Bern Gallery for 5 days only"; add communication to Consent Item 5.03 from John R. Killacky, Executive Director of Flynn re: project; note revised version Item 5.08; remove Consent Agenda Item 5.13 to future Deliberative City Council Agenda per Councilor Siegel; amend the action for Consent Agenda Item 5.15 to refer to DPW Director Spencer and Parks and Recreation Director Bridges with a report back to the City Council with a recommendation by November 25, 2014 (per Councilors Bushor, Mason, and Shannon); amend the action for Consent Agenda Item 5.19 to refer to License Committee (per Councilor Blais); move Consent Agenda Item 5.05 to Deliberative Item 6.04 per Councilor Colburn; and move Consent Agenda Item 5.21 to Deliberative Agenda as Item 6.05 per Councilor Colburn; note change in word to Deliberative Agenda Item 6.02 Page 3, line 54 of attached Resolution - changed "concerns" to "comments" per Councilor Blais; move Consent Agenda Item 5.22 to Deliberative Agenda as Item 6.06 per Councilor Knowdell.

2. Annual Reports to the City Council

2.01 Fire Commission

Type: Action, Report

Recommended Action: waive the reading, accept the report and place it on file

 [Fire Commission Annual Report.pdf](#)

2.02 Parks and Recreation Commission

Type: Action, Report

Recommended Action: waive the reading, accept the report and place it on file

 [Parks and Recreation Annual Report.pdf](#)

2.03 Public Works Commission

Type: Action, Report

Recommended Action: waive the reading, accept the report and place it on file

 [Public Works Annual Report.pdf](#)

3. Indoor Entertainment Permit Application (2014-2015)



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3.01 The Swingin' Pinwheel, LLC, d/b/a The Swingin' Pinwheel, 11 Center Street

Type: Action

Recommended Action: approve the 2014-2015 indoor entertainment permit application for The Swingin' Pinwheel with all standard conditions

Indoor Entertainment Permit Application The Swingin' Pinwheel.pdf

4. Public Forum: Time Certain 7:30 p.m.

4.01 Public Forum

Type: Procedural

5. Consent Agenda

5.01 Approve/Amend the Consent Agenda

Type: Action

Recommended Action: Motion to Approve the Consent Agenda and take the actions indicated .

5.02 Resolution: Acceptance of FEMA Assistance to Firefighters Grant Agreement #EMW-2013-FO-03000 and Budget Amendment Authorizing Expenditure of City's Match from Contingency Fund (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Fire Dept. – Accept FEMA Grant & Budget Amendment to Expend City's Match from Contingency Fund.docx

Fire Dept. - Accept FEMA Grant & Budget Amendment to Expend City's Match from Contingency Fund.pdf

Communication Seth Lasker Grant Memo.doc



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5.03 Resolution: Authorization to Execute Easement for Permanent Placement and Maintenance of Designed Sidewalk in Front of The Flynn Theater at 153 Main Street (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Communication from John R. Killacky proposed to be added to item.

DPW – Flynn Theater - Easement for Designed Sidewalk, 153 Main Street.docx

Communication Norm Baldwin Burlington City Council-Flynn Theartre Cover Memo 9_5_14.pdf

Communication John R. Killacky Flynn Center.pdf

Flynn Designation Sidewalk Contribution Agreement.pdf

Flynn supporting documentation.pdf

5.04 Resolution: Approval of Request for Budget Amendments to FY 2015 Street Capital Program Budget (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Approval of Request for Budget Amendments to FY 15 Street Capital Budget.docx

Communication Laura Wheelock DPW FY15 Street Capital Budget Amendment.pdf

5.05 Moved to Deliberative Agenda Item 6.04

5.06 Resolution: Authorization to Transfer Funds Within Capital Improvements Project and Capital Projects Budgets (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

DPW - Authorization to Transfer Funds Within Capital Improvement Project and CIP Budget.docx



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5.07 Resolution: Authorization to Enter into License Agreement to Erect and Maintain A Chain Link Fence on a Portion of The City's Right-of-way with Snyder Construction Company, LLC (License Committee)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Snyder supporting documentation.pdf

License Agree for Encumbrance – SNYDER
CONSTRUCTION CO., 237 No. Winooski Ave.
(Chain Link Fence) 2014.docx

License Agree for Encumbrance – SNYDER
CONSTRUCTION CO., 237 No. Winooski Ave.
(Chain Link Fence) 2014.docx

5.08 Resolution: Authorization to Contract for Bike Path Construction Phase 1A, Authorization to Amend Lease with State of Vermont and Vermont Railway and Authorization for Easement with Lake Champlain Transportation Company - Parks and Recreation Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Note proposed revised version.

Parks – finalrevised1122am090514Contract
for Bike Path Construction Phase 1A and
Amendment #3 to 1985 Lease Agreement with
State of Vt. Agency of Transportation & Vt.
Railway.docx

Parks – Contract for Bike Path Construction
Phase 1A and Amendment #3 to 1985 Lease
Agreement with State of Vt. Agency of
Transportation & Vt. Railway.docx

Bike Path Construction Phase 1a and
Supporting Documentation.pdf

5.09 Resolution: Correction to Fiscal Year 2015 Personnel Listing Burlington Police Department (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

HR - Police - Correction to FY2015 Personnel
Listing.docx

Communication Lise Veronneau Police CC -
FY 15 - Personnel Listing adjustment for
Application Technology Support Specialist.doc

HR BPD Correction.pdf

Application Technology Support Specialist -
revised Job Description 8-26-2014 Signed by
Chief.pdf



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5.10 Resolution: Creation of Burlington Telecom Service Support Coordinator Position; Elimination of One Help Desk Technician Position; and Re-titling of Other Help Desk Technician Positions to Service Support Technician (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

BT Communication HR Creation of Support Services Packet CC 090814.pdf

HR - BT - Creation of Service Support Position, Elimination of 1 Help Desk Tech & Re-titling of other Help Desk Tech Positions.docx

5.11 Resolution: Amend FY 2015 General Fund Budget to Incorporate Expense/Funding Associated with PlanBTV: South End (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

Communication Sandrine Thibault planBTV budget amendment.doc

Planning & Zoning – Amend FY 2015 Budget to Incorporate Expense-Funding – PlanBTV – South End.docx

5.12 Resolution: Authorization of Burlington Electric Department for Renewal of Contract for Property/Boiler and Machinery Insurance - 2014 (Board of Finance)

Type: Action (Consent), Resolution

Recommended Action: waive the reading and adopt the resolution

BED – Renewal of Contract with Property B&M Insurance for Property Boiler & Machinery.docx

Communication Paul Alexander BED Property Boiler and Machinery 2014 Insurance renewal.docx

5.13 Removed

Type: Report

Recommended Action: waive the reading, accept the report and place it on file

5.14 Communication: Lori Olberg, C/T Office, re: Accountability List

Type: Action (Consent), Communication

Recommended Action: waive the reading accept the communication and place it on file

Communication Accountability List 090914 cc mtg.xlsx



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5.15 Communication: Catherine Bughman, 6 Lake Forest Drive, re: Parking situation of Flynn Avenue near Oakledge Park

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file and refer to DPW Director Spencer and Parks and Recreation Director Bridges with a report back to the City Council with a recommendation by November 25, 2014

Note proposed amended action.

Communication Catherine Bughman Parking Situation on Flynn Avenue near Oakledge Park.pdf

5.16 Communication: Helen Plumley, Customer Service - DPW, re: Meter Bag Extension for 12-hr bag, S212

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and grant the one (1) week extension on the 12 hour meter bag S212

Communication Helen DPW Meter Bag Extension.pdf

5.17 Communication: Stephanie Reid, Human Resources Manager, Susan Leonard, Human Resources Director, re: Communication - Step placement for Michael Mercadante, Water Installer

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication, place it on file and approve the step placement for Michael Mercadante, Water Installer

Communication Stephanie Reid Step Placement for Michael Mercadante, Water Installer.pdf

5.18 Communication: Scott Schrader. ACAO, re: Declaration of Elected Candidates Special City Election - August 26, 2014

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

Communication ACAO Schrader Special Election Results.pdf

5.19 Communication: Mayor Miro Weinberger, re: Review and Report on Taxi Administration System

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file and refer to License Committee

Note proposed revised action.

09-02-14 Mayor's Taxi Report Memo.pdf

08-29-14 Review and Report on Taxi Administration System in the City of Burlington.pdf



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5.20 Communication: Burlington Police Department, re: Police Commissioners' Attendance Record

Type: Action (Consent), Communication

Recommended Action: waive the reading, accept the communication and place it on file

Police Attendance Record.pdf

5.21 Moved to Deliberative Agenda Item 6.05

5.22 Moved to Deliberative Agenda Item 6.06

Type: Discussion

5.23 Special Event Indoor Entertainment Permit Application (5 days only): Bern Gallery

Type: Action (Consent)

Recommended Action: waive the reading and approve the special event indoor entertainment permit application for Bern Gallery for 5 days only

Special Event Indoor EP Bern Gallery.pdf

6. Deliberative Agenda

6.01 Resolution: Creation of Ward 8 Neighborhood Planning Assembly (Councilors Shannon, Tracy, Colburn)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

CEDO – Creation of Ward 8 Neighborhood Planning Assembly.docx

6.02 Resolution: Audit Advisory Committee Appointment and Charge (Board of Finance)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

Page 3, line 54 of attachment - changed "concerns" to "comments" per Councilor Blais.

Treasurer - Audit Advisory Committee Appointment and Charge.docx

6.03 Communication: Eileen Blackwood, City Attorney, re: Update on BT (oral)(possible executive session)

Type: Action



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6.04 Resolution: Budget Amendment for FY 2015 Traffic Fund (Board of Finance) - (Moved from Consent Agenda Item 5.05)

Type: Action, Resolution

Recommended Action: waive the reading and adopt the resolution

CC packet Trf Budget Amendment.pdf

DPW – Budget Amendment for FY 2015
Traffic Fund.docx

Budget Amendment Request Details DPW
Traffic Division.pdf

6.05 Communication: VLCT Draft Municipal Policy 2015 (moved from Consent Agenda Item 5.21)

Type: Action, Communication

Recommended Action: waive the reading, accept the communication and place it on file

VLCT Draft Municipal Policy 2015.pdf

6.06 Communications: Eileen Blackwood, City Attorney, re: BED Street Light Billing Issue; Neale F. Lunderville, Interim General Manager, BED, re: BED Billing Issue: Analysis, Resolution, and Next Steps (Moved from Consent Agenda Item 5.22)

Type: Action, Communication

Recommended Action: waive the readings, accept the communications and place them on file
material to be sent under separate cover

09-04-14 City Attorney Memo to Mayor City
Council -- BED Billing Issues.pdf

09-04-14 Lunderville memo to mayor,
council.pdf

7. Committee Reports

7.01 Verbal Reports

8. City Council - General City Affairs

8.01 Verbal Reports

9. Mayor - General City Affairs

9.01 Verbal Reports



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10. Continuation of Expected Executive Sessions

10.01 Communication: Kim Sturtevant, Assistant City Attorney, re: Champlain College/Eagles Landing Settlement (oral)

Type: Action

 Settlement Agreement 9-3-14.pdf

10.02 Communication: Eileen Blackwood, City Attorney, re: Update on Reproductive Health Care Buffer Zone Ordinance Litigation (oral)

Type: Action

10.03 Communication: Eileen Blackwood, City Attorney, re: Collective Bargaining/Wages Update (oral)

Type: Action

11. Adjournment

11.01 Motion to adjourn

Type: Action, Procedural

Recommended Action: Motion to Adjourn